

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

QUALCOMM INCORPORATED, a Delaware corporation; and)
QUALCOMM TECHNOLOGIES, INC., a Delaware corporation,)
Plaintiffs,) C.A. No. 24-490 (MN)
v.) REDACTED - PUBLIC VERSION
ARM HOLDINGS PLC., f/k/a ARM LTD., a U.K. corporation,) Original filing date: October 24, 2025
Defendant.) Redacted filng date: November 21, 2025

**DECLARATION OF CATHERINE NYARADY IN SUPPORT OF PLAINTIFFS'
MOTION TO EXCLUDE CERTAIN OF ARM'S EXPERT OPINIONS
AND TESTIMONY**

VOLUME 1 of 2

OF COUNSEL:

Catherine Nyarady
Anish Desai
S. Conrad Scott
Jacob A. Braly
Jacob Apkon
Flint A. Patterson
PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019
(212) 373-3000

Eric C. Westerhold
Adam Basner
Gregg Stephenson
PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP
2001 K Street, NW
Washington, DC 20006
(202) 223-7300

MORRIS, NICHOLS, ARSHT & TUNNELL LLP
Jennifer Ying (#5550)
Travis Murray (#6882)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jying@morrisnichols.com
tmurray@morrisnichols.com

Attorneys for Plaintiffs

Karen L. Dunn
William A. Isaacson
Melissa F. Zappala
Jenifer N. Hartley
DUNN, ISAACSON, RHEE LLP
401 Ninth Street NW
Washington, DC 20004
(202) 240-2900

Erin J. Morgan
DUNN, ISAACSON, RHEE LLP
11 Park Place
New York, NY 10007
(202) 240-2900

October 24, 2025

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

QUALCOMM INCORPORATED,)	
a Delaware corporation; and)	
QUALCOMM TECHNOLOGIES, INC.,)	
a Delaware corporation,)	
)	
Plaintiffs,)	C.A. No. 24-490 (MN)
)	
v.)	CONFIDENTIAL – FILED UNDER
)	SEAL
ARM HOLDINGS PLC., f/k/a ARM LTD.,)	
a U.K. corporation,)	
)	
Defendant.)	

**DECLARATION OF CATHERINE NYARADY IN SUPPORT OF PLAINTIFFS'
MOTION TO EXCLUDE CERTAIN OF ARM'S EXPERT OPINIONS
AND TESTIMONY**

I, Catherine Nyarady, declare under penalty of perjury that the following is true and correct:

1. I am an attorney at Paul, Weiss, Rifkind, Wharton & Garrison LLP, counsel of record for Qualcomm Incorporated and Qualcomm Technologies, Inc. (collectively, "Qualcomm" or "Plaintiffs") in the above-captioned matter. I am a member in good standing of the State Bar of New York and have been admitted *pro hac vice* in this case. I am competent to testify to the matters stated herein, have personal knowledge of the facts and statements in this declaration, and each of the facts and statements is true and correct.

2. Attached hereto as **Exhibit 1** is a table identifying paragraphs of each expert report for which corresponding testimony should be excluded.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the Expert Report of Michael C. Brogioli, dated September 5, 2025.

4. Attached hereto as **Exhibit 3** is a true and correct copy of the Expert Report of Patrick F. Kennedy, dated August 8, 2025.

5. Attached hereto as **Exhibit 4** is a true and correct copy of the Expert Report of Eric A. Posner, dated August 8, 2025.

6. Attached hereto as **Exhibit 5** is a true and correct copy of an excerpt of the transcript of the September 25, 2025 deposition of Michael C. Brogioli.

7. Attached hereto as **Exhibit 6** is a true and correct copy of Plaintiffs' Letter to Special Master Helena C. Rychlicki Regarding Newly-Learned Facts and Subsequent Events, dated September 15, 2025.

8. Attached hereto as **Exhibit 7** is a true and correct copy of an excerpt from the transcript of the March 7, 2024 hearing before Judge Noreika in the case styled *Arm Ltd v. Qualcomm Technologies, Inc. et al.*, C.A. No. 22-1146 (D. Del).

9. Attached hereto as **Exhibit 8** is a true and correct copy of an excerpt of the transcript of the June 20, 2025 deposition of Martin Weidmann.

10. Attached hereto as **Exhibit 9** is a true and correct copy of the Verdict Form in the case styled *Arm Ltd v. Qualcomm Technologies, Inc. et al.*, C.A. No. 22-1146 (D. Del).

11. Attached hereto as **Exhibit 10** is a true and correct copy of the Final Judgment in the case styled *Arm Ltd v. Qualcomm Technologies, Inc. et al.*, C.A. No. 22-1146 (D. Del).

12. Attached hereto as **Exhibit 11** is a true and correct copy of Plaintiffs' Letter to Special Master Helena C. Rychlicki in Support of their Motion to Strike the Expert Reports of Arm's Experts Michael C. Brogioli, PH.D & Steven Richards, CPA, dated September 16, 2025.

13. Attached hereto as **Exhibit 12** is a true and correct copy of the Expert Report of Steven Richards, dated September 5, 2025.

14. Attached hereto as **Exhibit 13** is a true and correct copy of an excerpt of the transcript of the October 2, 2025 deposition of Steven Richards.

15. Attached hereto as **Exhibit 14** is a true and correct copy of an excerpt of Qualcomm Inc.'s SEC Form 10-k for fiscal year ending September 29, 2024, Bates numbered ARMQC_02793451.

16. Attached hereto as **Exhibit 15** is a true and correct copy of an excerpt of the transcript of the July 3, 2025 deposition of Cristiano Amon.

17. Attached hereto as **Exhibit 16** is a true and correct copy of an excerpt of the transcript of the July 11, 2025 deposition of Jonathan Weiser.

18. Attached hereto as **Exhibit 17** is a true and correct copy of an excerpt of the Financial Accounting Standards Board Glossary, Bates numbered ARMQC_02793451.

19. Attached hereto as **Exhibit 18** is a true and correct copy of the Expert Report of Thomas W. Britven, dated September 5, 2025.

20. Attached hereto as **Exhibit 19** is a true and correct copy of an excerpt of the transcript of the October 3, 2025 deposition of Thomas W. Britven.

21. Attached hereto as **Exhibit 20** is a true and correct copy of an excerpt of the transcript of the July 10, 2025 deposition of Akshay Bhatnagar.

22. Attached hereto as **Exhibit 21** is a true and correct copy of an excerpt of the transcript of the June 20, 2025 deposition of Karthik Shivashankar.

23. Attached hereto as **Exhibit 22** is a true and correct copy of Qualcomm's First Set of Requests for Production in this litigation, dated January 21, 2025.

24. Attached hereto as **Exhibit 23** is a true and correct copy of Qualcomm's Third Set of Requests for Production in this litigation, dated April 2, 2025.

25. Attached hereto as **Exhibit 24** is a true and correct copy of a letter from Catherine Nyarady to Peter Evangelatos, dated July 11, 2025.

26. Attached hereto as **Exhibit 25** is a true and correct copy of a letter from Catherine Nyarady to Jay Emerick, dated July 16, 2025.

27. Attached hereto as **Exhibit 26** is a true and correct copy of an email from Jenifer Hartley to counsel for Arm, dated October 6, 2025.

28. Attached hereto as **Exhibit 27** is a true and correct copy of Plaintiffs' Letter to Special Master Helena C. Rychlicki Regarding Subsequent Events Relating to their Motion to Compel Production of Arm's Analysis of Third-Party Licenses, dated October 17, 2025.

29. Attached hereto as **Exhibit 28** is a true and correct copy of the Expert Report of Timothy Simcoe, dated September 5, 2025.

30. Attached hereto as **Exhibit 29** is a true and correct copy of an excerpt of the transcript of the September 26, 2025 deposition of Timothy S. Simcoe.

31. Attached hereto as **Exhibit 30** is a true and correct copy of a Financial Times article titled "Rene Haas: 'Arm has the most ubiquitous computer architecture on the planet,'" dated June 7, 2024 and Bates stamped QCVARM_0866937.

32. Attached hereto as **Exhibit 31** is a true and correct copy of an excerpt of the transcript of the July 7, 2025 deposition of Ziad Asghar.

33. Attached hereto as **Exhibit 32** is a true and correct copy of an excerpt of the transcript of the July 9, 2025 deposition of Jignesh Trivedi.

34. Attached hereto as **Exhibit 33** is a true and correct copy of an excerpt of the transcript of the July 30, 2025 deposition of Anupa George.

35. Attached hereto as **Exhibit 34** is a true and correct copy of an excerpt of the transcript of the July 3, 2025 deposition of Jeffrey B. Golden.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my present knowledge and belief.

Signed this date in New York, New York.

Dated: October 24, 2025

/s/ Catherine Nyarady
Catherine Nyarady

CERTIFICATE OF SERVICE

I hereby certify that on October 24, 2025, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on October 24, 2025, upon the following in the manner indicated:

Anne Shea Gaza, Esquire
Robert M. Vrana, Esquire
Daniel G. Mackrides, Esquire
YOUNG CONAWAY STARGATT & TAYLOR, LLP
Rodney Square
1000 North King Street
Wilmington, DE 19801
Attorneys for Defendant

VIA ELECTRONIC MAIL

Scott F. Llewellyn, Esquire
MORRISON & FOERSTER LLP
4200 Republic Plaza
370 Seventeenth Street
Denver, CO 80202
Attorneys for Defendant

VIA ELECTRONIC MAIL

Nicholas R. Fung, Esquire
Henry Huttinger, Esquire
Sydney D. Gaskins, Esquire
MORRISON & FOERSTER LLP
707 Wilshire Blvd., Suite 6000
Los Angeles, CA 90017
Attorneys for Defendant

VIA ELECTRONIC MAIL

Kyle W.K. Mooney, Esquire
Alexandra Corrinne Hottenrott, Esquire
MORRISON & FOERSTER LLP
250 West 55th Street
New York, NY 10019
Attorneys for Defendant

VIA ELECTRONIC MAIL

Erik J. Olson, Esquire
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, CA 94304
Attorneys for Defendant

VIA ELECTRONIC MAIL

Daniel P. Muino, Esquire
MORRISON & FOERSTER LLP
2100 L Street, NW, Suite 900
Washington, DC 20037
Attorneys for Defendant

VIA ELECTRONIC MAIL

Brian M. Kramer, Esquire
MORRISON & FOERSTER LLP
12531 High Bluff Drive, Suite 200
San Diego, CA 92130
Attorneys for Defendant

VIA ELECTRONIC MAIL

William Frentzen, Esquire
Daralyn J. Durie, Esquire
Shaelyn Dawson, Esquire
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105
Attorneys for Defendant

VIA ELECTRONIC MAIL

Lydia B. Cash, Esquire
MORRISON & FOERSTER LLP
300 Colorado Street, Suite 1800
Austin, TX 78701
Attorneys for Defendant

VIA ELECTRONIC MAIL

Gregg F. LoCascio, P.C.
Jason M. Wilcox, P.C.
Meredith Pohl, Esquire
Matthew J. McIntee, Esquire
KIRKLAND & ELLIS LLP
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Attorneys for Defendant

VIA ELECTRONIC MAIL

Jay Emerick, Esquire
Adam M. Janes, Esquire
Reid McEllrath, Esquire
KIRKLAND & ELLIS LLP
333 West Wolf Point Plaza
Chicago, IL 60654
Attorneys for Defendant

VIA ELECTRONIC MAIL

Peter Evangelatos, Esquire
Nathaniel Louis DeLucia, Esquire
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022
Attorneys for Defendant

VIA ELECTRONIC MAIL

/s/ Jennifer Ying

Jennifer Ying (#5550)